

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America

v.

REMY RA ST. FELIX

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Case No. 1:23-mj-320

FILED
in the Middle District of
North CarolinaJuly 27, 2023
11:41 amClerk, US District Court
By: kg*Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 12, 2023 in the county of Durham in the
Middle District of North Carolina, the defendant(s) violated:

*Code Section*18 U.S.C. § 1201(a)(1)
18 U.S.C. § 1201(c)*Offense Description*Kidnapping
Conspiracy to Commit Kidnapping

This criminal complaint is based on these facts:

See attached affidavit of FBI Task Force Officer Timothy S. Thomas

Continued on the attached sheet.

*/s/ Timothy S. Thomas**Complainant's signature*

*Timothy S. Thomas, Task Force Officer, FBI**Printed name and title*

On this day, the applicant appeared before me via reliable electronic means, that is by telephone, was placed under oath, and attested to the contents of this Criminal Complaint and attached affidavit in accordance with the requirements of Fed. R. Crim. P. 4.1.

Date: 07/27/2023City and state: Winston-Salem, North Carolina
*Joi Elizabeth Peake**Joi Elizabeth Peake, U.S. Magistrate Judge**Printed name and title*

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Timothy S. Thomas, a Task Force Officer with the Federal Bureau of Investigation (FBI), being duly sworn, hereby depose and state as follows:

Introduction

1. This affidavit is made in support of complaints against REMY RA ST. FELIX charging that on or about April 12, 2023, ST. FELIX committed the federal offenses of kidnapping and conspiracy to commit kidnapping in violation of 18 U.S.C. §§ 1201(a)(1) and (c).

Affiant Background

2. I am a Task Force Officer with the Federal Bureau of Investigation (FBI) and have been so assigned since 2014. I am employed by the Durham Police Department and have been so employed since 2003. I have authored, executed, and/or participated in over a hundred search and seizure warrants for illegal narcotics and related paraphernalia. I have participated in the operation and execution of over ten Federal and State Title III orders. I have arrested and/or participated in the arrest of over a hundred persons for violations of State and Federal narcotics statutes. I am currently assigned to investigate violent gangs in the Durham metropolitan area as a member of the FBI's Raleigh-Durham Safe Streets Task Force (RDSSTF) and have received over a hundred hours of specialized training in the area of illegal narcotics and violent street gangs. I have investigated firearm offenses, robberies, carjackings, kidnappings, and murders.

3. Through instruction and my participation in investigations, I have become familiar with the manner in which gang members and narcotics traffickers conduct their illegal business, and the methods, language, and terms that they use to disguise conversations about their gang and narcotics activities. Additionally, I have become familiar with gang members' methods of operation, including gang organizational structure, their methods of violence, their distribution, storage, and transportation of narcotics, and how they obtain and transport firearms.

4. During the course of the current investigation, I have consulted with members of the FBI's Cyber Squad who have extensive experience and training in online account compromises and cryptocurrency.

Armed Home Invasion on Wells Street in Durham, North Carolina on April 12, 2023

5. On April 12, 2023, at approximately 9:17am, the Durham Police Department responded to a report of an armed robbery at a residence on Wells Street in Durham, North Carolina (Residence-1). A married couple (referred to hereafter as the Husband and the Wife), both seventy-six years of age, reside at Residence-1. At approximately 7:30am, two black men came to the door of Residence-1. They were dressed as construction workers wearing reflective vests and khaki pants. They claimed to be inspecting pipes for damage and told the Husband that they would be walking around the house. Soon thereafter the men knocked again, and the Wife answered. The men pushed their way into Residence-1. The Wife struggled and screamed causing the Husband to respond to her location. The men restrained and zip tied the Husband's hands and the Wife's hands. Both men were armed with handguns. The Wife was dragged by the legs into a bathroom and detained by the smaller of the two men (Perpetrator-1, who, to date, the investigation indicates was ELMER RUBEN CASTRO). The Husband was forced at gunpoint to the rear of the Residence-1 and up to a loft home office by the larger of the two men (Perpetrator-2, who, to date, the investigation indicates was REMY RA ST. FELIX).¹

¹ CASTRO's Florida driver's license lists him at 5' 6" and ST FELIX's Florida driver's license lists him as 5' 10".

6. Perpetrator-2 forced the Husband to log in² to his Apple iMac and install the remote desktop software AnyDesk. Perpetrator-2 then forced the Husband to log in to his Coinbase account, a custodial cryptocurrency exchange based in the United States. In order to log in to the Coinbase account, the Husband had to use a password from a multifactor authentication application on his phone. Perpetrator-2 then took over control of the iMac.

7. Perpetrator-2 was on a call with a third individual (Perpetrator-3) and was using the speaker on his phone. Perpetrator-3 provided Perpetrator-2 instructions about how to transfer cryptocurrency from the Husband's Coinbase account. The Husband described Perpetrator-3 as tech savvy. Perpetrator-3 knew details about the account without being told. Based on my training and experience this shows that an account belonging to the Husband had been previously compromised (believed to be Husband's email).

8. Investigators subsequently determined that, over approximately the next forty-five minutes, \$156,853 worth of cryptocurrency was transferred out of Husband's Coinbase account in three transactions. A fourth transaction was flagged and denied by Coinbase.

9. The Husband described Perpetrator-2 as very threatening. Perpetrator-2 threatened to cut off Husband's toes and genitalia, to shoot him, and to rape his wife if he didn't access his Coinbase account. Perpetrator-2 also struck the husband in the head. The Husband reported that Perpetrator-2 was wearing khaki cargo pants and a black hat with a trout on it that said "Trout Pro Shop." He was armed with a black semiautomatic handgun.

10. The Wife reported that Perpetrator-1 was wearing khaki style pants, sunglasses, and a ski mask with a face covering. Perpetrator-1 was armed with a revolver with a subdued pink

2 Perpetrator-2 cut the zip tie on Husband's hands so that he could type.

cylinder. He showed the Wife that it was loaded by opening the cylinder. While Perpetrator-1 detained the Wife in the bathroom, he replaced the zip tie on her hands with a looser zip tie at her request.³ The men attempted to duct tape the Wife's mouth shut.

11. The men destroyed the Husband's iMac and the couple's phones by smashing them. They put the Husband in the bathroom with the Wife, threatened them, and then left. The Husband and Wife left Residence-1 and made contact with their neighbors.

12. Durham Police Department officers canvassed the neighborhood for video. They located surveillance video from a nearby house depicting a BMW X5 SUV conducting what appears to be surveillance on Residence-1 on each of the three days prior to the robbery. On the day of the robbery, surveillance video showed the BMW park on the street in front of Residence-1 at approximately 7:28am and leave Residence-1 at approximately 9:07am.

13. With assistance from BMW, investigators were able to identify the SUV as a 2019-2023 BMW X5, 45e, with chrome trim, roof rails, and 20-inch wheels. The color is either arctic grey metallic or dark graphite metallic.

Coinbase Accounts

14. Approximately 90 minutes after the home invasion, at 11:42am, a Coinbase account was opened in the name ELMER CASTRO, account 6436d16b68c1b8102da3cc29. In order to open the account, the user provided an image of the front and back of CASTRO's Florida driver's license. The account was registered to phone number 561-836-3039 ("CASTRO's Phone"), email lile561@icloud.com, and address 5930 Elmhurst, West Palm Beach, Florida. At 12:11pm on April

³ The Wife was able to remove her hands from the zip tie.

12, 2023, CASTRO's Coinbase account received cryptocurrency funds worth approximately \$22,267.

15. Approximately eight hours after the home invasion, at 5:04pm, a Coinbase account was opened in the name REMY RA ST. FELIX, account 64371cd3fc40f11ff8620813. In order to open the account, the user provided an image of the front and back of ST. FELIX's Florida driver's license. The account was registered to phone number 561-660-3482 ("ST. FELIX's Phone"), email remgodbooking@gmail.com, and address 1656 Barbie Ln, West Palm Beach, Florida. The account was opened from a mobile device utilizing an IP address registered in North Carolina. At 12:35pm on April 13, 2023, ST. FELIX's Coinbase account received cryptocurrency funds worth approximately \$22,267. Additionally, Coinbase records revealed a second Coinbase account registered to ST. FELIX but associated with the email remdem9@icloud.com.

Phone Location

16. AT&T Wireless provides service to CASTRO's Phone and ST. FELIX's Phone. CASTRO's Phone is subscribed to ELMER CASTRO at 5923 Oro Verde Blvd, West Palm Beach, FL 33417. ST. FELIX's Phone is subscribed "ATT CUSTOMER" at an address in Arizona.

17. A North Carolina Superior Court Judge authorized investigators to obtain records from cellular network providers identifying the devices that used cell towers providing coverage to Residence-1 on April 11, 2023 between 5:56 am and 7:30 am and on April 12, 2023 between 7:30 am and 9:07 am. AT&T records showed that CASTRO's Phone and ST. FELIX's Phone both used cell towers that provided coverage to Residence-1 within the listed time frames on both days. As described above, these phone numbers are registered, respectively, to the Coinbase accounts of CASTRO and ST. FELIX.

18. Historical phone location data for CASTRO's Phone and ST. FELIX's Phone shows that on or about April 8, 2023 they traveled from south Florida to Durham, North Carolina and that they returned to south Florida following the home invasion April 12, 2023.

Walmart Purchases

19. A review of records from Wells Fargo bank for CASTRO's checking account revealed that, on April 11, 2023, CASTRO's debit card was utilized at a Walmart in Durham, North Carolina. Walmart records revealed that the user of CASTRO's debit card purchased a clipboard, safety vest (reflective vest), sunglasses, and one pair of chino style khaki pants from the Glen School Road Walmart in Durham. These items are consistent with surveillance video and statements by the Husband and Wife concerning the appearance of the perpetrators that entered Residence-1 and committed the armed home invasion robbery on April 12, 2023. According to the Durham Police Department report the suspects were each wearing a safety vest and khaki cargo pants.

20. Walmart outside surveillance video was reviewed for the period and a BMW X5 consistent with the one used during the armed home invasion robbery was documented arriving to the store parking lot. Surveillance video from inside of the Walmart confirmed that both ST. FELIX and CASTRO entered the store and purchased the items in question.

Apple and Google Accounts

21. Investigators obtained a warrant to search the contents of the Apple account lile561@icloud.com. A review of the information provided by Apple confirmed CASTRO as the owner of the account. The account contained a message thread between CASTRO's Phone and ST. FELIX's Phone, beginning on March 28, 2023 and continuing through April 26, 2023. In early April the men discussed traveling to North Carolina in a rental car. On April 8, 2023, ST. FELIX sent CASTRO the address for the Millennium Hotel in Durham. On April 10, 2023, CASTRO

wrote a note in his phone "Xvh-2149", which is the license plate of the Husband's car. A photograph dated April 17, 2023, depicts a pink revolver, with serial number 12-10681, that is consistent with the pink revolver that the Wife described Perpetrator-1 possessing during the Durham home invasion. The gun was recovered from another individual on May 11, 2023, in West Palm Beach, Florida. The gun is pictured below.



22. Investigators obtained a warrant to search the contents of the Google account remgodbooking@gmail.com. A review of the information provided by Google for account remgodbooking@gmail.com confirmed ST. FELIX as the owner. In the account, investigators located multiple pictures of evidentiary value, including the following:

- a. A picture of the Husband's North Carolina driver's license.
- b. Pictures dated April 8, 2023, of CASTRO in a BMW consistent with the X5 used in the Durham home invasion.
- c. A picture dated the evening of April 8, 2023, taken in a hotel room depicting a black semiautomatic handgun and BMW keys. The carpet is consistent with the Millennium Hotel in Durham, North Carolina.
- d. A screenshot from April 10, 2023, of a daily portfolio update from CoinTracker, a cryptocurrency portfolio tracker and tax calculator, depicting a balance that matched the Husband's account balance.

e. An April 11, 2023, photograph of ST. FELIX wearing clothing consistent with the clothing worn by Perpetrator-2 during the Durham home invasion.⁴ The photograph appears to have been taken in the Millennium Hotel in Durham.

Also in the account information, investigators located messenger screenshots, taken on February 12, 2023, depicting a conversation between the user “Fawk u Mean”, presumably ST. FELIX because the screenshot is from this user’s perspective, and another individual (User-1) about robbing individuals of cryptocurrency. User-1 identified amounts of funds and their location. User Fawk u Mean messaged the other individual that he is ready. User-1 stated to Fawk u Mean, “yea for sure im tryna hit local niggas but the thing is with the actual crypto investors and shit they have so much its like retirement licks...those will deffo get fbi and other shit involved.” Based on my training and experience, I know the term “lick” is slang for “robbery.” Investigators also located a messenger screenshot, taken on February 15, 2023, depicting a conversation between the user Fawk u Mean and User-1. The user Fawk u Mean stated, “we bouta start gettin active” and indicates that a license plate cover and a uniform for whomever is knocking are needed.

Conclusion:

23. Based on the facts set forth above, I submit that there is probable cause to believe that REMY RA ST. FELIX committed the federal offenses of kidnapping and conspiracy to commit kidnapping in violation of 18 U.S.C. §§ 1201(a)(1) and (c) on or about April 12, 2023.

⁴ ST. FELIX is wearing a Bass Pro Shop hat. The Husband described Perpetrator-2 as wearing a “Trout Pro Shop” hat.

Respectfully submitted,

/s/ Timothy S. Thomas
Timothy S. Thomas, Task Force Officer
Federal Bureau of Investigation
United States Department of Justice

Dated: July 27, 2023

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means (telephone), was placed under oath, and attested to the contents of this written affidavit.

Joi Elizabeth Peake
Joi Elizabeth Peake
United States Magistrate Judge
Middle District of North Carolina